



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION**

JOSHUA D. WASHBURN,

Plaintiff,

vs.

Civil Action No. 1:25-568-MGL

STATE OF SOUTH CAROLINA, CITY OF
BARNWELL, BARNWELL POLICE
DEPARTMENT, BARNWELL COUNTY
JAIL & SHERIFF DEPT., SOUTH
CAROLINA HIGHWAY PATROL,
COUNTY OF BARNWELL, BARNWELL
COUNTY SOLICITOR OFFICE, MAYOR
RON STILL, CHIEF MICHAEL BUTTS,
LT. DENNIS J. BOOTS, BI-RITE
(CONVENIENCE/GAS), BARNWELL
CITY COUNCIL, SHERIFF STEPHEN W.
GRIFFITH, BARNWELL COUNTY
COUNCIL, MEREDITH C. WRIGHT,
MARTHA THOMPSON, LAWRENCE
FLYNN, ATTORNEY GENERAL ALAN
WILSON, COUNCIL DISTRICT 1 RON
DIXON, COUNCIL DISTRICT 2 PEGGY
KINLAW, COUNCIL DISTRICT 3 ALICIA
DAVIS, COUNCIL DISTRICT 4 WANDA
HIGHSMITH, COUNCIL DISTRICT 5
LOUIS CLAYTON, III, and COUNCIL
DISTRICT 6 JANA MYERS, BARNWELL
COUNTY SHERIFF'S DEPARTMENT &
DETENTION CENTER,

Defendants.

**ORDER ADOPTING THE REPORT AND RECOMMENDATION
AND DISMISSING THIS MATTER WITHOUT PREJUDICE
AND WITHOUT FURTHER LEAVE FOR AMENDMENT**

Plaintiff Joshua D. Washburn (Washburn), who is representing himself, filed this civil action against Defendants State of South Carolina, City of Barnwell, Barnwell Police Department,

Barnwell County Jail & Sheriff Dept., South Carolina Highway Patrol, County of Barnwell, Barnwell County Solicitor Office, Mayor Ron Still, Chief Michael Butts, Lt. Dennis J. Boots, Bi-Rite (Convenience/Gas), Barnwell City Council, Sheriff Stephen W. Griffith, Barnwell County Council, Meredith C. Wright, Martha Thompson, Lawrence Flynn, Attorney General Alan Wilson, Council District 1 Ron Dixon, Council District 2 Peggy Kinlaw, Council District 3 Alicia Davis, Council District 4 Wanda Highsmith, Council District 5 Louis Clayton III, and Council District 6 Jana Myers, alleging violations of his constitutional rights.

This matter is before the Court for review of the Report and Recommendation (Report) of the United States Magistrate Judge recommending the Court dismiss this matter without further leave for amendment. The Report was made in accordance with 28 U.S.C. § 636 and Local Civil Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261, 270 (1976). The Court is charged with making a de novo determination of those portions of the Report to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. 28 U.S.C. § 636(b)(1).

The Magistrate Judge filed the Report on March 10, 2025. To date, Washburn has failed to file any objections.

“[I]n the absence of a timely filed objection, a district court need not conduct a de novo review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’” *Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d

310, 315 (4th Cir. 2005). Moreover, a failure to object waives appellate review. *Wright v. Collins*, 766 F.2d 841, 845–46 (4th Cir. 1985).

After a thorough review of the Report and the record in this case under the standard set forth above, the Court adopts the Report and incorporates it herein. Therefore, it is the judgment of the Court this matter is **DISMISSED WITHOUT PREJUDICE** and without further leave for amendment.

IT IS SO ORDERED.

Signed this 14th day of April 2025, in Columbia, South Carolina.

s/ Mary Geiger Lewis
MARY GEIGER LEWIS
UNITED STATES DISTRICT JUDGE

NOTICE OF RIGHT TO APPEAL

Washburn is hereby notified of his right to appeal this Order within thirty days from the date hereof, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.